

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

FIFTH DAY'S PROCEEDINGS

Thirty-First Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, April 2, 2002

The Senate was called to order at 4:00 o'clock P.M., by Hon. John Hainkel, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Fields	Lentini	

Total—37

ABSENT

Barham
Romero

Total—2

The President of the Senate announced there were 37 Senators present and a quorum.

Prayer

The prayer was offered by Senator Holden, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Holden, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Introduction of Senate Bills
and Joint Resolutions**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 109—
BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 39:98.1(E), relative to tobacco settlement proceeds; to authorize the state treasurer to establish a trust or other fund in the state treasury into which funds shall be deposited on behalf of certain school systems; to authorize the establishment within such trust or fund of separate accounts for each such school system; to authorize investment of monies in such trust or fund; to provide for the deposit and allowable use of monies in the trust or fund; to establish a program to assist investing school systems to stabilize earnings from the Education Excellence Fund and to expand programs for preparation of certain at-risk children for school; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Finance.

SENATE BILL NO. 110—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 17:64(E) and 72(G), relative to the powers of certain school boards; to authorize the Zachary Community School Board and the Baker School Board to borrow money to fund budgeted expenditures for fiscal year 2002-2003; to authorize the board to execute notes or other evidences of indebtedness; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Education.

**Introduction of Resolutions,
Senate and Concurrent**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 22—
BY SENATOR HOLDEN

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to request the appropriate officials at the United States Department of Education to review the federal laws and guidelines with respect to assuring that the approved use of Title I funds to address the educational needs of students is not jeopardized in cases in which the management and implementation of such funds by a local education agency are being examined.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Education.

Messages from the House

Bean	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Dardenne	Hoyt	Schedler
Dean	Irons	Smith
Dupre	Jones, B	Theunissen
Ellington	Lambert	Ullo
Fields	Lentini	
Total—26		

NAYS

Total—0

ABSENT

Bajoie	Fontenot	Romero
Barham	Heitmeier	Tarver
Boissiere	Johnson	Thomas
Campbell	Jones, C	
Cravins	Marionneaux	
Total—13		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 34—

BY REPRESENTATIVES WALSWORTH AND KATZ

A CONCURRENT RESOLUTION

To memorialize the United States Congress and the United States Department of the Interior to rename the Tensas River National Wildlife Refuge the Theodore Roosevelt National Wildlife Refuge.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 35—

BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To memorialize the United States Congress to empower the Department of Transportation and the United States Postal Service to work together to establish uniform standards for the construction and placement of mailboxes along highways across America.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 36—

BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to work with the United States Postal Service to develop uniform standards regarding the placement and design of curbside mailboxes along state and federal highways, and to request that the Department of Transportation and Development create a pamphlet regarding such mailboxes, and to request otherwise relative to such mailboxes.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 37—

BY REPRESENTATIVE L. JACKSON

A CONCURRENT RESOLUTION

To commend Dr. Leonard C. Barnes, former chancellor of Southern University at Shreveport, upon the occasion of a special evening of tribute honoring his remarkable career.

The resolution was read by title. Senator Malone moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Bean	Fontenot	McPherson
Cain	Hines	Michot
Campbell	Holden	Mount
Chaisson	Hollis	Schedler
Dardenne	Hoyt	Smith
Dean	Irons	Theunissen
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—26		

NAYS

Total—0

ABSENT

Bajoie	Heitmeier	Romero
Barham	Johnson	Tarver
Boissiere	Jones, B	Thomas
Cravins	Jones, C	
Gautreaux	Marionneaux	
Total—13		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY A

Senator Ellington, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

April 2, 2002

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

SENATE BILL NO. 4—
BY SENATOR SMITH AND REPRESENTATIVE R. ALEXANDER
AN ACT

To enact R.S. 13:2113, relative to the City Court of Winnfield; to provide for the transfer of surplus funds from the court's civil fee account to the court's general operational fund; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 107—
BY SENATOR SCHEDLER
AN ACT

To enact R.S. 9:2795.2, relative to civil liability; to provide for the limitation of liability for the Audubon Commission, the city of New Orleans, and any other entity which operates any facilities of the Audubon Commission; to provide for the limitation of liability for any loss or damage that results from the use of Hurst Walk in Audubon Park; to provide for exceptions; to provide for required warning signs; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 13:5108.4(A)(9), relative to payment of legal expenses of state officials and employees; to provide for membership of the Attorney Fee Review Board; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 16—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H), relative to the City Court of Natchitoches; to increase the jurisdictional amount in dispute for civil jurisdiction; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 27—
BY REPRESENTATIVES JOHNS, BOWLER, AND CLARKSON
AN ACT

To amend and reenact R.S. 9:315.9(A) and 315.20, relative to child support; to provide for the calculation of child support obligations in shared custodial arrangements, to provide a worksheet for the calculation of shared custody; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 38—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Children's Code Article 1243(A)(introductory paragraph), relative to intrafamily adoptions; to specify that stepparents and stepgrandparents are eligible petitioners in intrafamily adoptions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY C**

Senator Lentini, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

April 2, 2002

To the President and Members of the Senate:

I am directed by your Committee on Judiciary C to submit the following report:

SENATE BILL NO. 64—
BY SENATOR BARHAM
AN ACT

To amend and reenact R.S. 33:1448(I), relative to retired sheriffs and retired sheriff's deputies; to provide that in Ouachita Parish the sheriff shall pay for hospital, surgical, and medical insurance for certain retired sheriffs and deputy sheriffs; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

**REPORT OF COMMITTEE ON
AGRICULTURE**

Senator Smith, Chairman on behalf of the Committee on Agriculture, submitted the following report:

April 2, 2002

To the President and Members of the Senate:

I am directed by your Committee on Agriculture to submit the following report:

SENATE BILL NO. 2—
BY SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 3:493 and R.S. 33:4831, 4832, and 4835, and to enact R.S. 33:4836, relative to the direct sale by a farmer to consumers of farm products; to prohibit requiring permits or licenses for the direct sale of farm products; to prohibit

imposition of any permit or license fee or tax on a farmer selling farm produce directly to consumers; to prohibit the enactment of ordinances prohibiting the direct sale of farm produce by the producing farmer or his employee; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
MIKE SMITH
Chairman

**REPORT OF COMMITTEE ON
REVENUE AND FISCAL AFFAIRS**

Senator Barham, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

April 2, 2002

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

HOUSE BILL NO. 45—
BY REPRESENTATIVES ALARIO, MURRAY, LANDRIEU, K. CARTER,
AND HEATON

AN ACT

To amend and reenact Sections 20 and 23 of Act No. 305 of the 1978 Regular Session of the Legislature, as amended by Act No. 657 of the 1979 Regular Session of the Legislature, Act No. 99 of the 1980 Regular Session of the Legislature, Act No. 9 of the 1980 Second Extraordinary Session of the Legislature, Act No. 287 of the 1982 Regular Session of the Legislature, Act No. 572 of the 1984 Regular Session of the Legislature, Act No. 390 of the 1987 Regular Session of the Legislature, Act No. 43 of the 1992 Regular Session of the Legislature, Act No. 1013 of the 1993 Regular Session of the Legislature, Act Nos. 13 and 42 of the 1994 Regular Session of the Legislature, and Act Nos. 1174 and 1176 of the 1997 Regular Session of the Legislature, relative to the Ernest N. Morial-New Orleans Exhibition Hall Authority, to grant additional powers to the authority, including authorization for the levy and collection of an additional tax on hotel occupancy and a food and beverage tax; to provide for the issuance of bonds and other obligations of the authority to finance expansion projects; to provide for additional bonding capacity of the authority; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 51—
BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 47:302.53, 322.45, and 332.51, relative to the disposition of certain sales tax collections in Concordia Parish; to establish the Concordia Parish Economic Development Fund in the state treasury; to provide for deposit of monies into the fund; to provide for the use of such monies; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 104—
BY REPRESENTATIVES HAMMETT, DEWITT, PINAC, ALARIO, BAYLOR,
GLOVER, HILL, L. JACKSON, AND MONTGOMERY
AN ACT

To enact R.S. 47:301(10)(a)(v), relative to sales and use taxes; to provide for exclusions from the tax for certain capital expenditures by biotechnology companies; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 105—
BY REPRESENTATIVES HAMMETT, DEWITT, PINAC, ALARIO, K.
CARTER, DANIEL, DURAND, FARRAR, HILL, L. JACKSON,
MONTGOMERY, ODINET, AND TOWNSEND
AN ACT

To enact Part VI of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2351 through 2354, relative to providing for the Technology Commercialization Credit Program; to provide legislative findings and purposes; to provide definitions; to provide for the establishment of the Technology Commercialization Credit Program; to provide for the technology commercialization credit; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 106—
BY REPRESENTATIVES HAMMETT, DEWITT, PINAC, ALARIO, HILL,
MONTGOMERY, AND ODINET
AN ACT

To enact R.S. 47:6015, relative to tax exemptions; to authorize the Department of Economic Development to award certain tax credits to qualified taxpayers for increasing research activities; to provide for certain rules and procedures for awarding credits; to provide for the maximum amount of the tax credits awarded; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ROBERT J. BARHAM
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Barham asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just reported by Committees.

SENATE BILL NO. 2—
BY SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 3:493 and R.S. 33:4831, 4832, and 4835, and to enact R.S. 33:4836, relative to the direct sale by a farmer to consumers of farm products; to prohibit requiring permits or licenses for the direct sale of farm products; to prohibit imposition of any permit or license fee or tax on a farmer selling

farm produce directly to consumers; to prohibit the enactment of ordinances prohibiting the direct sale of farm produce by the producing farmer or his employee; and to provide for related matters.

Reported with amendments by the Committee on Agriculture.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture to Original Senate Bill No. 2 by Senator Hainkel

AMENDMENT NO. 1

On page 1, change "HAINKEL" to "THOMAS"

AMENDMENT NO. 2

On page 3, line 14, between "shall" and "require" insert "prohibit the direct sale of farm produce by a producing farmer or his employee,"

On motion of Senator Smith, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 4—

BY SENATOR SMITH AND REPRESENTATIVE R. ALEXANDER
AN ACT

To enact R.S. 13:2113, relative to the City Court of Winnfield; to provide for the transfer of surplus funds from the court's civil fee account to the court's general operational fund; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 64—

BY SENATOR BARHAM
AN ACT

To amend and reenact R.S. 33:1448(I), relative to retired sheriffs and retired sheriff's deputies; to provide that in Ouachita Parish the sheriff shall pay for hospital, surgical, and medical insurance for certain retired sheriffs and deputy sheriffs; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 64 by Senator Barham

AMENDMENT NO. 1

On page 1, line 5, after the semicolon ";" insert "to provide relative to effectiveness;"

AMENDMENT NO. 2

On page 1, line 11, after "I." insert "(1)"

AMENDMENT NO. 3

On page 1, line 15, after "retired" insert "**prior to July 1, 2002**" and after "least" delete the remainder of the line and line 16 and insert "fifteen years of service who are at least fifty-five years of age."

AMENDMENT NO. 4

On page 1, after line 16, insert the following:

R.S. 33:1448(I)(2) is all proposed new law.

(2) Notwithstanding the provisions of Paragraph (1) of this Subsection, in the parish of Ouachita, the premium costs of group hospital, surgical, and medical expense contracted for under the provisions of this Section shall be paid in full from the sheriff's general fund for all sheriffs and deputy sheriffs retired on or after July 1, 2002 with at least twenty years of service."

On motion of Senator Lentini, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 107—

BY SENATOR SCHEDLER
AN ACT

To enact R.S. 9:2795.2, relative to civil liability; to provide for the limitation of liability for the Audubon Commission, the city of New Orleans, and any other entity which operates any facilities of the Audubon Commission; to provide for the limitation of liability for any loss or damage that results from the use of Hurst Walk in Audubon Park; to provide for exceptions; to provide for required warning signs; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 107 by Senator Schedler

AMENDMENT NO. 1

On page 1, at the end of line 16, change "." to ":"

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Barham asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 2—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 13:5108.4(A)(9), relative to payment of legal expenses of state officials and employees; to provide for

membership of the Attorney Fee Review Board; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 16—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H), relative to the City Court of Natchitoches; to increase the jurisdictional amount in dispute for civil jurisdiction; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 27—

BY REPRESENTATIVES JOHNS, BOWLER, AND CLARKSON

AN ACT

To amend and reenact R.S. 9:315.9(A) and 315.20, relative to child support; to provide for the calculation of child support obligations in shared custodial arrangements, to provide a worksheet for the calculation of shared custody; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 38—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact Children's Code Article 1243(A)(introductory paragraph), relative to intrafamily adoptions; to specify that stepparents and stepgrandparents are eligible petitioners in intrafamily adoptions; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 45—

BY REPRESENTATIVES ALARIO, MURRAY, LANDRIEU, K. CARTER, AND HEATON

AN ACT

To amend and reenact Sections 20 and 23 of Act No. 305 of the 1978 Regular Session of the Legislature, as amended by Act No. 657 of the 1979 Regular Session of the Legislature, Act No. 99 of the 1980 Regular Session of the Legislature, Act No. 9 of the 1980 Second Extraordinary Session of the Legislature, Act No. 287 of the 1982 Regular Session of the Legislature, Act No. 572 of the 1984 Regular Session of the Legislature, Act No. 390 of the 1987 Regular Session of the Legislature, Act No. 43 of the 1992 Regular Session of the Legislature, Act No. 1013 of the 1993 Regular Session of the Legislature, Act Nos. 13 and 42 of the 1994 Regular Session of the Legislature, and Act Nos. 1174 and 1176 of the 1997 Regular Session of the Legislature, relative to the Ernest N. Morial-New Orleans Exhibition Hall Authority, to grant additional powers to the authority, including

authorization for the levy and collection of an additional tax on hotel occupancy and a food and beverage tax; to provide for the issuance of bonds and other obligations of the authority to finance expansion projects; to provide for additional bonding capacity of the authority; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 51—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 47:302.53, 322.45, and 332.51, relative to the disposition of certain sales tax collections in Concordia Parish; to establish the Concordia Parish Economic Development Fund in the state treasury; to provide for deposit of monies into the fund; to provide for the use of such monies; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 104—

BY REPRESENTATIVES HAMMETT, DEWITT, PINAC, ALARIO, BAYLOR, GLOVER, HILL, L. JACKSON, AND MONTGOMERY

AN ACT

To enact R.S. 47:301(10)(a)(v), relative to sales and use taxes; to provide for exclusions from the tax for certain capital expenditures by biotechnology companies; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 105—

BY REPRESENTATIVES HAMMETT, DEWITT, PINAC, ALARIO, K. CARTER, DANIEL, DURAND, FARRAR, HILL, L. JACKSON, MONTGOMERY, ODINET, AND TOWNSEND

AN ACT

To enact Part VI of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2351 through 2354, relative to providing for the Technology Commercialization Credit Program; to provide legislative findings and purposes; to provide definitions; to provide for the establishment of the Technology Commercialization Credit Program; to provide for the technology commercialization credit; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 105 by Representative Hammett, et al.

April 2, 2002

AMENDMENT NO. 1

On page 3, line 3, after "credit on" delete the remainder of the line and insert "any income or corporation franchise tax liability"

AMENDMENT NO. 2

On page 3, line 4, delete "franchise taxes"

AMENDMENT NO. 3

On page 3, delete lines 10 through 15, and insert the following:

"(4) "Technology" means the product or intellectual property owned or research sponsored by a regionally accredited college, technical school, or university located in Louisiana or any product or intellectual property to which significant development or enhancement occurred at a regionally accredited college, technical school, or university located in Louisiana."

AMENDMENT NO. 4

On page 3, line 20, delete "shall" and after "credit on" delete the remainder of the line and insert "any income or corporation franchise tax liability"

AMENDMENT NO. 5

On page 3, line 21, delete "corporate income or franchise taxes"

AMENDMENT NO. 6

On page 3, line 27, after "administered by the" delete the remainder of the line and insert "Department of Economic Development" and on page 4, line 1, delete "Development Corporation"

AMENDMENT NO. 7

On page 4, line 2, change "corporation" to "department"

AMENDMENT NO. 8

On page 4, line 6, change "corporation" to "department"

AMENDMENT NO. 9

On page 4, line 9, change "Louisiana Economic Development Corporation" to "Department of Economic Development"

AMENDMENT NO. 10

On page 4, between lines 15 and 16, insert the following:

"(c) The sale of certified technology commercialization credits to other taxpayers."

AMENDMENT NO. 11

On page 6, line 11, after "year" insert ", shall repay any amounts allowed as a credit for that year,"

AMENDMENT NO. 12

On page 6, delete line 16 and insert "on any income or corporation franchise tax liability owed to the"

AMENDMENT NO. 13

On page 7, between lines 9 and 10, insert the following:

"(d) The purchaser of unused credits shall apply such credits in the same manner and against the same taxes as the taxpayer applicant.

(3)(a) All entities taxed as corporations for Louisiana income or corporation franchise tax purposes shall claim any credit allowed under this Section on their corporation income and corporation franchise tax return.

(b) Individuals shall claim any credit allowed under this Section on their fiduciary income tax return.

(c) Estates or trusts shall claim any credit allowed under this Section on their fiduciary income tax returns.

(d) Entities not taxed as corporations shall claim any credit allowed under this Section on the returns of the partners or members as follows:

(i) Corporate partners or members shall claim their share of the credit on their corporation income or corporation franchise tax returns.

(ii) Individual partners or members shall claim their share of the credit on their individual income tax returns.

(iii) Partners or members that are estates or trusts shall claim their share of the credit on their fiduciary income tax returns."

AMENDMENT NO. 14

On page 7, line 10, after "B.(1)" delete the remainder of the line and delete lines 11 through 16, and on line 17, delete "(2)"

AMENDMENT NO. 15

On page 7, line 23, change "(3)" to "(2)"

AMENDMENT NO. 16

On page 8, delete lines 2 and 3, and insert the following:

"apply to income tax years beginning on or after January 1, 2003, and franchise tax years beginning on or after January 1, 2004. However, this Act shall become null and void on December 31, 2006."

On motion of Senator Barham, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 106—

BY REPRESENTATIVES HAMMETT, DEWITT, PINAC, ALARIO, HILL, MONTGOMERY, AND ODINET

AN ACT

To enact R.S. 47:6015, relative to tax exemptions; to authorize the Department of Economic Development to award certain tax credits to qualified taxpayers for increasing research activities; to provide for certain rules and procedures for awarding credits; to provide for the maximum amount of the tax credits awarded; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 106 by Representative Hammet, et al.

AMENDMENT NO. 1

On page 2, line 3, delete "in the same taxable year"

AMENDMENT NO. 2

On page 2, line 25, after "(5)" insert "(a)"

AMENDMENT NO. 3

On page 3, line 3, change "(a)" to "(i)"

AMENDMENT NO. 4

On page 3, line 5, change "(b)" to "(ii)"

AMENDMENT NO. 5

On page 3, line 7, change "(c)" to "(iii)"

AMENDMENT NO. 6

On page 3, delete lines 10 and 11, and insert:

"(b) The purchaser of unused credits shall apply such credits in the same manner and against the same taxes as the taxpayer originally awarded the credit.

(6)(a) All entities taxed as corporations for Louisiana income or corporation franchise tax purposes shall claim any credit allowed under this Section on their corporation income and corporation franchise tax return.

(b) Individuals shall claim any credit allowed under this Section on their individual income tax return.

(c) Estates or trusts shall claim any credit allowed under this Section on their fiduciary income tax returns.

(d) Entities not taxed as corporations shall claim any credit allowed under this Section on the returns of the partners or members as follows:

(i) Corporate partners or members shall claim their share of the credit on their corporation income or corporation franchise tax returns.

(ii) Individual partners or members shall claim their share of the credit on their individual income tax returns.

(iii) Partners or members that are estates or trusts shall claim their share of the credit on their fiduciary income tax returns."

AMENDMENT NO. 7

On page 3, at the end of line 18, insert:

"This credit shall be applied against any income and franchise tax, and is subject to the same carry forward and sale provisions as the credit authorized in Subsections (B) and (C) of this Section."

AMENDMENT NO. 8

On page 4, delete lines 23 through 25, and insert the following:

"Section 2. The provisions of this Act shall become effective for all income tax years beginning on or after January 1, 2003, and franchise tax years beginning on or after January 1, 2004. However, this Act shall become null and void on December 31, 2006."

On motion of Senator Barham, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of recalling Senate Resolution No. 17 from the Committee on Health and Welfare.

SENATE RESOLUTION NO. 17—

BY SENATORS SMITH, BARHAM, CAIN, ELLINGTON, HINES, MCPHERSON, AND ROMERO

A RESOLUTION

To urge and request the secretary of the U.S. Department of Veterans Affairs to keep the Veterans Affairs Medical Center in Pineville open, and to reinstate those programs and services which have been reduced or eliminated during the past several years.

The resolution was read by title. On motion of Senator Smith, the resolution was adopted.

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 19 from the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 19—

BY SENATORS SMITH, BARHAM, CAIN, ELLINGTON, HINES, MCPHERSON AND ROMERO

A CONCURRENT RESOLUTION

To urge and request the secretary of the U.S. Department of Veterans Affairs to keep the Veterans Affairs Medical Center in Pineville open, and to reinstate those programs and services which have been reduced or eliminated at the hospital during the past several years.

The resolution was read by title. Senator Smith moved to concur in the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lambert
Bean	Fontenot	Lentini
Boissiere	Gautreaux	Malone
Cain	Heitmeier	McPherson
Campbell	Hines	Michot
Chaisson	Holden	Mount
Dardenne	Hollis	Schedler
Dean	Hoyt	Smith
Dupre	Irons	Theunissen
Ellington	Jones, B	Ullo
Total—30		

NAYS

Total—0

ABSENT

Bajoie	Johnson	Romero
Barham	Jones, C	Tarver
Cravins	Marionneaux	Thomas
Total—9		

The Chair declared the Senate had adopted the Senate Concurrent Resolution, and ordered it sent to the House.

Rules Suspended

Senator Holden asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 20 from the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 20—

BY SENATOR HOLDEN

A CONCURRENT RESOLUTION

To memorialize the Louisiana congressional delegation and the United States Congress to support the Act to Leave No Child Behind.

The resolution was read by title. Senator Holden moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Holden	Schedler
Chaisson	Hollis	Smith
Dardenne	Hoyt	Theunissen
Dean	Irons	Thomas
Dupre	Jones, B	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—31		

NAYS

Total—0

ABSENT

Bajoie	Johnson	Romero
Barham	Jones, C	Tarver
Cravins	Marionneaux	
Total—8		

The Chair declared the Senate had adopted the Senate Concurrent Resolution, and ordered it sent to the House.

Rules Suspended

Senator Dupre asked for and obtained a suspension of the rules for the purpose of recalling House Concurrent Resolution No. 5 from the Committee on Health and Welfare.

HOUSE CONCURRENT RESOLUTION NO. 5—

BY REPRESENTATIVES BALDONE AND FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the United States Department of Veterans Affairs to establish a community-based outpatient clinic in the Houma area.

The resolution was read by title. Senator Dupre moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Bean	Fontenot	Malone
Boissiere	Gautreaux	McPherson
Cain	Heitmeier	Michot
Campbell	Hines	Mount
Chaisson	Holden	Schedler
Dardenne	Hollis	Smith
Dean	Hoyt	Theunissen
Dupre	Irons	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Total—29		

NAYS

Total—0

ABSENT

Mr. President	Johnson	Romero
Bajoie	Jones, B	Tarver
Barham	Jones, C	
Cravins	Marionneaux	
Total—10		

The Chair declared the Senate had concurred in the House Concurrent Resolution, and ordered it returned to the House.

Senator Lambert in the Chair

Rules Suspended

Senator Fontenot asked for and obtained a suspension of the rules for the purpose of recalling House Concurrent Resolution No. 29 from the Committee on Health and Welfare.

HOUSE CONCURRENT RESOLUTION NO. 29—

BY REPRESENTATIVE PERKINS

A CONCURRENT RESOLUTION

To encourage researchers engaged in stem cell research to use human adult tissues or placental tissues obtained after informed consent has been given and to discourage such researchers from using human embryonic or human fetal tissues.

The resolution was read by title. Senator Fontenot moved to concur in the House Concurrent Resolution.

Motion

Senator Holden moved as a substitute motion that the resolution be recommitted to Health & Welfare.

Senator Fontenot objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dean	Holden
Bean	Ellington	Irons
Boissiere	Fields	Jones, B
Cain	Gautreaux	Schedler
Chaisson	Heitmeier	Tarver
Cravins	Hines	Thomas
Total—18		

NAYS

Mr. President	Hoyt	Michot
Dardenne	Lambert	Mount
Dupre	Lentini	Smith
Fontenot	Malone	Theunissen
Hollis	McPherson	Ullo
Total—15		

ABSENT

Barham	Johnson	Marionneaux
Campbell	Jones, C	Romero
Total—6		

The Chair declared the resolution was recommitted to Health and Welfare.

Personal Privilege

Senator Cain asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the motion by Senator Holden. He voted yea on the motion and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Ellington asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the motion by Senator Holden. He voted yea on the motion and had intended to vote nay. He asked that the Official Journal so state.

Senate Bills and Joint Resolutions on Second Reading

The following Senate Bills and Joint Resolutions were taken up and acted upon as follows:

SENATE BILL NO. 108 (Substitute for Senate Bill 86 by Senators Dardenne, Barham and Hollis)—

BY SENATORS DARDENNE, BARHAM, HOLLIS, AND IRONS
AN ACT

To amend and reenact R.S. 47:6007, relative to the motion picture investor tax credit; to provide for definitions; to provide for productions eligible for the credit and the amount of such credit; and to provide for related matters.

On motion of Senator Barham, the bill was read by title and ordered engrossed and passed to a third reading.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

SENATE BILL NO. 1—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:553(17) and 559(3), relative to the Louisiana State Employees' Retirement System; to provide with respect to membership of certain employees of the traffic courts for the parish of Orleans; to authorize credit in the judicial retirement plan of the Louisiana State Employees' Retirement System for service as a judicial administrator for the traffic courts for the parish of Orleans and each deputy of the administrator; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1 by Senator Boissiere

AMENDMENT NO. 1

On page 2, line 10, following "(3)" and before "non-judicial" change "Any member of this system" to "Upgrading"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed Senate Bill No. 1 by Senator Boissiere

AMENDMENT NO. 1

On page 2, line 10, after "upgrade" delete ""non-judicial credit" and insert "credit for services other than judicial service"

April 2, 2002

AMENDMENT NO. 2

On page 2, line 11, after "to" delete "judicial credit" and insert "credit for judicial service"

On motion of Senator Boissiere, the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone
Bean	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson
Cain	Hines	Michot
Campbell	Holden	Mount
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Barham	Jones, B	Romero
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 11—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 47:302.36(B), relative to the Allen Parish Capital Improvements Fund; to provide for the disposition of monies in the fund; and to provide for related matters.

The bill was read by title. Senator Hines moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone
Bean	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson

Cain	Hines	Michot
Campbell	Holden	Mount
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Barham	Jones, B	Romero
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 29—
BY SENATOR HAINKEL

AN ACT

To enact R.S. 11:1386, relative to the judges' noncontributory plan; to provide with respect to cost-of-living adjustments for judges and widows of such judges who did not opt to become members of the Louisiana State Employees' Retirement System; to provide an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone
Bean	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson
Cain	Hines	Michot
Campbell	Holden	Mount
Chaisson	Hollis	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Total—35		

NAYS

Hoyt
Total—1

ABSENT

Barham	Romero	Schedler
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Boissier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Malone asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 29. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

SENATE BILL NO. 39— BY SENATOR BAJOIE

AN ACT

To amend Sections 2 and 8 of Act 22 of the 2001 Regular Session of the Legislature, relative to the capital outlay budget; to provide for certain exemptions relative to contractual obligations established prior to the execution of the cooperative endeavor agreement; and to provide for related matters.

The bill was read by title. Senator Bajoie moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, Lentini, Bajoie, Gautreaux, Malone, Bean, Heitmeier, Marionneaux, Boissiere, Hines, McPherson, Cain, Holden, Michot, Campbell, Hollis, Mount, Chaisson, Hoyt, Smith, Cravins, Irons, Tarver, Dardenne, Johnson, Theunissen, Dean, Jones, B, Thomas, Dupre, Jones, C, Ullo, Ellington, Lambert, Total—35

NAYS

Total—0

ABSENT

Table with 2 columns: Barham, Romero, Fontenot, Schedler, Total—4

The Chair declared the bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 55—

BY SENATORS CHAISSON, FONTENOT, LAMBERT, LENTINI AND SCHEDLER AND REPRESENTATIVES GARY SMITH, ALARIO, ANSARDI, DAMICO, DANIEL, FAUCHEUX, MARTINY, LANCASTER, POWELL, SCALISE, SNEED, STRAIN, TOOMY, WALSWORTH, AND WINSTON

AN ACT

To amend and reenact R.S. 47:6005(D), relative to the qualified recycling equipment credit, to provide that certain industries may receive one hundred percent of the credit and any credit carry-forward for a specified period; to provide that any excess credit amount over and above the amount of tax due shall be refunded to the taxpayer in the same manner as overpayments of tax; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, Lambert, Bajoie, Fontenot, Lentini, Bean, Gautreaux, Malone, Boissiere, Heitmeier, McPherson, Cain, Hines, Michot, Campbell, Holden, Mount, Chaisson, Hollis, Smith, Cravins, Hoyt, Tarver, Dardenne, Irons, Theunissen, Dean, Johnson, Thomas, Dupre, Jones, B, Ullo, Ellington, Jones, C, Total—35

NAYS

Total—0

ABSENT

Table with 2 columns: Barham, Romero, Marionneaux, Schedler, Total—4

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 73—

BY SENATORS HAINKEL, LAMBERT, BAJOIE, SCHEDLER AND HINES

AN ACT

To enact Chapter 7-A of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1921 through 1927, relative to the Tulane/L.S.U. Cancer Research Center; to provide for its creation, organization, powers, and functions and for its governance board; to provide for reports and annual audits; to provide for application of certain provisions of state law; and to provide for related matters.

April 2, 2002

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed Senate Bill No. 73 by Senator Hainkel, et al

AMENDMENT NO. 1

On page 5, after line 27, insert the following

"B. The board shall determine the ownership of the intellectual property and/or patents and the distribution of proceeds obtained therefrom to the interested parties and to the state."

AMENDMENT NO. 2

On page 6, after line 20, add the following:

"§1928. State funding for cancer research; allocation

R.S. 17:1928 is all proposed new law.

State funds provided for cancer research shall be distributed on an equitable basis to the center and the Louisiana State University Health Sciences Center in Shreveport."

Motion

Senator Hainkel moved for a division of the question on the above floor amendments.

Without objection, the division of the question was ordered.

Senator Hines moved the adoption of Amendment No. 1.

Without objection, Amendment No. 1 was adopted.

Senator Hines moved the adoption of Amendment No. 2.

Senator Hainkel objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bean, Campbell, Cravins, Dean, Total—10, Gautreaux, Hines, Hoyt, Malone, Marionneaux, McPherson

NAYS

Mr. President, Bajoie, Boissiere, Cain, Chaisson, Dardenne, Dupre, Fontenot, Heitmeier, Holden, Hollis, Irons, Johnson, Jones, B, Lentini, Michot, Mount, Schedler, Smith, Tarver, Theunissen

Ellington, Fields, Total—27, Jones, C, Lambert, Thomas, Ullo

ABSENT

Barham, Total—2, Romero

The Chair declared Amendment No. 2 was rejected.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 73 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 4, delete "Tulane/L.S.U." and insert "Louisiana"

AMENDMENT NO. 2

On page 1, line 12, delete "TULANE/L.S.U." and insert "LOUISIANA"

AMENDMENT NO. 3

On page 1, line 16, delete "Tulane/L.S.U." and insert "Louisiana"

AMENDMENT NO. 4

On page 2, line 13, delete "Tulane/L.S.U." and insert "Louisiana"

AMENDMENT NO. 5

On page 2, line 21, after "west" insert "of New Orleans"

AMENDMENT NO. 6

On page 2, line 22, after "northeast" insert "of New Orleans"

AMENDMENT NO. 7

On page 2, line 24, delete "Tulane/L.S.U." and insert "Louisiana"

AMENDMENT NO. 8

On page 2, line 27, delete "Tulane/L.S.U." and insert "Louisiana"

On motion of Senator Dardenne, the amendments were adopted.

The bill was read by title. Senator Hainkel moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Bajoie, Boissiere, Cain, Campbell, Fontenot, Heitmeier, Holden, Hines, Jones, B, Lentini, Michot, Mount, Marionneaux, McPherson, Schedler, Smith, Tarver, Theunissen

Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields	Lambert	Ullo
Total—33		

NAYS

Bean	Dean	Malone
Total—3		

ABSENT

Barham	Irons	Romero
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hainkel moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 85—

BY SENATORS DARDENNE, BARHAM, HOLLIS AND IRONS
AN ACT

To amend and reenact R.S. 47:1123(4) and (5), 1124, and 1125 and to enact R.S. 47:301(10)(v), relative to the state sales and use tax; to provide for a state sales tax exclusion for certain purchases by a motion picture production company; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 85 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 3, following "(10)" and before "(v)" insert "(a)"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 85 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 2, after "use tax" insert:

",until January 1, 2007,"

AMENDMENT NO. 2

On page 3, line 6, change "Any" to "Until January 1, 2007, any"

On motion of Senator Dardenne, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Barham	Romero
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 87—

BY SENATORS DARDENNE, BARHAM, HOLLIS AND IRONS
AN ACT

To amend and reenact R.S. 47:1123(4) and (5) and to enact R.S. 47:1125.1, relative to the Louisiana Motion Picture Incentive Act; to provide for a tax credit for employing Louisiana residents; to provide for definitions; to provide for an effective date; and to provide for related matters.

On motion of Senator Dardenne, the bill, which is a duplicate of House Bill No. 18 was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 91—

BY SENATORS DARDENNE, BARHAM AND HOLLIS
AN ACT

To enact R.S. 47:301(10)(a)(v), relative to sales and use taxes; to provide for exclusions from the tax for certain capital expenditures by biotechnology companies; to provide an effective date; and to provide for related matters.

Mr. President in the Chair

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Campbell	Hollis	Mount
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fontenot	Lentini	
Total—35		
	NAYS	
Bean	Fields	
Total—2		
	ABSENT	
Barham	Romero	
Total—2		

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 98—
BY SENATORS HOLLIS AND DARDENNE
AN ACT

To enact R.S. 47:301(16)(h), (22), and (23) and 305.52, relative to state and local sales and use taxes; to define tangible personal property for state sales and use tax purposes to exclude certain custom computer software; to provide that the exclusion shall be phased in over a four-year period; to allow governing authorities of political subdivisions to exempt sales of certain computer software; to provide for an effective date; and to provide for related matters.

On motion of Senator Hollis, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 100—
BY SENATOR B. JONES
AN ACT

To amend and reenact R.S. 11:62(3) and 103(C)(2)(b)(i) and (c), relative to the Firefighters' Retirement System; to provide for an equal cost-sharing relationship between the employee, employer, and the state with regard to employee and employer contributions; to authorize possible supplemental funding; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

Senate Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Cain asked that Senate Bill No. 89 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 89—
BY SENATORS CAIN, DUPRE, HOLDEN, IRONS, LENTINI, SCHEDLER
AND ULLO

AN ACT

To amend and reenact R.S. 32:409.1(A)(2)(d)(x), 412(A)(4) and (7), (B)(7), and (D)(1), and R.S. 40:1321(A) and (D) and to enact Division 5 of Subpart A of Part VI of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:100.2 through 100.2.3, relative to terrorism; to provide relative to driving offenses; to create the crime of operating a motor vehicle without lawful student presence in the United States; to provide for definitions; to provide for restrictions on the time within which nonresident aliens may obtain a driver's license; to prohibit a nonresident alien from providing false information to obtain a driver's license; to provide for revocation of a driver's license; to provide for penalties; to provide that the issuance of special identification cards by the Department of Public Safety and Corrections to nonresident aliens conform to the requirements for issuing driver's licenses to nonresident aliens; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 89 by Senator Cain

AMENDMENT NO. 1
On page 2, line 2, following "Section 1." and before "5" change "Subdivision" to "Division"

AMENDMENT NO. 2
On page 3, line 23, following "is" and before "demonstrating" change "the list of acceptable documents" to "a document"

AMENDMENT NO. 3
On page 4, line 14, following "arrest" and before "for" insert "of a person"

AMENDMENT NO. 4

On page 7, line 15, following "expire" delete the remainder of the line and all of line 16, and insert ", if sooner than the date specified in Subparagraph (a) of this Paragraph."

AMENDMENT NO. 5

On page 8, line 6, following "expire" delete the remainder of the line and insert ", if sooner than the date specified in Subparagraph (a) of this Paragraph."

AMENDMENT NO. 6

On page 8, line 18, following "of" and before "(i)" change "Subsubparagraph" to "Item"

AMENDMENT NO. 7

On page 8, line 25, following "expire" delete the remainder of the line and insert ", if sooner than the date specified in Item (i) of this Subparagraph."

AMENDMENT NO. 8

On page 9, line 9, following "of" and before "(i)" change "Subsubparagraph" to "Item"

AMENDMENT NO. 9

On page 9, line 16, following "expire" delete the remainder of the line and insert ", if sooner than the date specified in Item (i) of this Subparagraph."

AMENDMENT NO. 10

On page 9, line 24, following "of" and before "(i)" change "Subsubparagraph" to "Item"

AMENDMENT NO. 11

On page 10, line 5, following "expire" delete the remainder of the line and insert ", if sooner than the date specified in Item (i) of this Subparagraph."

AMENDMENT NO. 12

On page 10, line 13, following "of" and before "(i)" change "Subsubparagraph" to "Item"

AMENDMENT NO. 13

On page 10, line 20, following "expire" delete the remainder of the line and insert ", if sooner than the date specified in Item (i) of this Subparagraph."

AMENDMENT NO. 14

On page 11, line 13, following "expire" delete the remainder of the line and insert ", if sooner than the date specified in Subitem (aa) of this Item."

AMENDMENT NO. 15

On page 12, line 8, following "expire" delete the remainder of the line, and on line 9, delete "less" and insert ", if sooner than the date specified in Subsubitem (I) of this Subitem"

AMENDMENT NO. 16

On page 13, line 2, following "expire" delete the remainder of the line, and on line 3, delete "less" and insert ", if sooner than the date specified in Subitem (aa) of this Item"

AMENDMENT NO. 17

On page 13, line 23, following "expire" delete the remainder of the line and on line 24, delete "less" and insert ", if sooner than the date specified in Subsubitem (I) of this Subitem"

AMENDMENT NO. 18

On page 15, line 12, following "years" change ", whichever is less" to "after issuance, whichever is sooner"

AMENDMENT NO. 19

On page 15, delete line 23, and on line 24, delete "federal government" and insert "alien is legally in the United States"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 89 by Senator Cain

AMENDMENT NO. 1

On page 1, line 3, after "(D)(1)," and before "and R.S. 40:1321(A) and (D)" insert "(D)(3)(e), 414.5,"

AMENDMENT NO. 2

On page 1, line 7, delete the word "student"

AMENDMENT NO. 3

On page 1, line 11, change "revocation" to "cancellation"

AMENDMENT NO. 4

On page 1, line 15, after "nonresident aliens;" and before "and" insert "to prohibit issuance of class "A," "B," or "C" drivers' licenses to nonresident aliens; to require personal appearance for renewal of class "D" or "E" drivers' licenses or special identification cards by nonresident aliens;"

AMENDMENT NO. 5

On page 4, line 1, after "who is," delete the rest of the line and also delete 2 through 3 and insert "not a United States citizen and who is a citizen of any country other than the United States, who is physically present in the United States and who has not acquired INS permanent resident status."

AMENDMENT NO. 6

On page 4, delete lines 10 through 13

AMENDMENT NO. 7

On page 4, line 12, after "expiration of" and before "documentation" add "INS"

AMENDMENT NO. 8

On page 4, line 14, change "C." to "B." and on line 15, between "shall" and "immediately" insert "seize the driver's license and immediately surrender such license to the office of motor vehicles for cancellation and shall"

AMENDMENT NO. 9

On page 4, line 17, change "D." to "C."

AMENDMENT NO. 10

On page 5, line 1, after "B." delete the rest of line 1 and also delete lines 2 through 5

AMENDMENT NO. 11

On page 5, line 6, change "C." to "B." and on line 7, change "office of motor vehicles" to "arresting agency."

AMENDMENT NO. 12

On page 5, line 9, change "D." to "C."

AMENDMENT NO. 13

On page 5, line 14, before "(D)(1)" delete "and" and after "(D)(1)" and before "are" insert "and 414.5"

AMENDMENT NO. 14

On page 6, line 17, after "documents" and before "." insert "that permit the applicant to maintain a legal presence in the United States for at least one hundred and eighty calendar days"

AMENDMENT NO. 15

On page 14, between lines 10 and 11, insert the following:

(3) "* * *
 * * *

(e) No renewal by mail or electronic commerce shall be granted to alien students or non resident aliens.

* * *

§414.5 Information Falsified By Aliens

R.S. 32:414.5 is all proposed new law

§414.5. The driver's license or special identification card of an alien student or non-resident alien shall be canceled if the alien has falsified any information required in R.S. 32:409.1 for the purposes of obtaining a driver's license or a special identification card from the office of motor vehicles. The secretary shall notify the person who is the subject of the notice at that person's last known address."

AMENDMENT NO. 16

On page 15, line 8, 9, and 13 change "license" to "special identification card"

AMENDMENT NO. 17

On page 15, line 15., change "license" to "a special identification card"

AMENDMENT NO. 18

On page 15, line 20, after "may" insert "only"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Cain moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lambert
Bajoie	Fontenot	Lentini
Bean	Gautreaux	Malone
Boissiere	Heitmeier	Marionneaux
Cain	Hines	McPherson
Campbell	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Total—36		

NAYS

Total—0

ABSENT

Barham	Romero	Schedler
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Cain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

April 2, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 4—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Health and Welfare and the House Committee on Health and Welfare to meet jointly to

study and make recommendations regarding Medicaid reimbursement for well baby nursery days.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 21— BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To commend and congratulate Ralph Eggleston for his Academy Award win for Best Animated Short Film.

Reported without amendments.

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

Introduction of Senate Bills and Joint Resolutions

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 111— BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 48:461.4(b)(3), relative to outdoor advertising activities; to prohibit certain "stacking" configurations of outdoor display signs; to provide for existing configurations; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

SENATE BILL NO. 112— BY SENATORS HOLLIS, HAINKEL, LENTINI, AND REPRESENTATIVES ANSARDI, BOWLER, GREEN, SCALISE, SNEED AND TOOMY

AN ACT

To amend and reenact R.S. 39:1367(E)(2)(a)(iv), R.S. 47:820.2(B)(3)(d), and to enact R.S. 39:1367(E)(2)(a)(v), relative to the state debt limit; to provide for the use of funds subject to the state debt limit; to provide for the definition of net state tax supported debt; to authorize the Department of Transportation and Development to enter into cooperative endeavor agreements with certain local governing authorities for completion of certain projects; to authorize certain reimbursements from the TIMED program; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Finance.

SENATE BILL NO. 113— BY SENATORS HEITMEIER AND HAINKEL AND REPRESENTATIVES ANSARDI, ALARIO, DAMICO, GREEN, MARTINY, AND SNEED

AN ACT

To enact R.S. 17:85.1, relative to naming a high school athletic field house; to authorize the parish school board in certain parishes to name a high school athletic field house in honor of a former

parish president and football director; to provide limitations; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Education.

Introduction of Resolutions, Senate and Concurrent

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 23— BY SENATOR SCHEDLER AND REPRESENTATIVE STRAIN

A CONCURRENT RESOLUTION

To designate March as Louisiana Nutrition Month.

The resolution was read by title. Senator Schedler moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS, NAYS, and ABSENT, listing names of senators and their counts.

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 24— BY SENATORS CRAVINS AND HINES AND REPRESENTATIVES HUDSON AND DURAND

A CONCURRENT RESOLUTION

To commend and congratulate Joey and Denise Olivier of Arnaudville on being awarded the "Young Farmer and Rancher Achievement Award" by the Louisiana Farm Bureau in July, 2001 and by the American Farm Bureau in January, 2002.

The resolution was read by title. Senator Cravins moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Total—36, Fields, Fontenot, Gautreaux, Heitmeier, Hines, Holden, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Schedler, Smith, Theunissen, Thomas, Ullo

NAYS

Total—0

ABSENT

Table with 3 columns of names: Barham, Total—3, Romero, Tarver

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 2, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 4—

BY REPRESENTATIVE DARTEZ

AN ACT

To designate a bridge located along old U.S. 90, in Amelia, Louisiana, which crosses Bayou Boeuf in Assumption and St. Mary parishes, as the Earl "Tuttum" Bergeron and Janet Marcel Bridge; and to provide for related matters.

HOUSE BILL NO. 8—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 34:2102, relative to the compensation of members of the board of commissioners of the West Calcasieu Port, Harbor, and Terminal District; to provide for a maximum per diem of such members; and to provide for related matters.

HOUSE BILL NO. 17—

BY REPRESENTATIVES SCALISE, BEARD, BROOME, CURTIS, FAUCHEUX, GALLOT, GUILLORY, PIERRE, RICHMOND, SCHWEGMANN, AND SWILLING AND SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 47:1123(4) and (5) and to enact R.S. 47:1125.1, relative to the Louisiana Motion Picture Incentive Act; to provide for a tax credit for employing Louisiana residents; to provide for definitions; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 41—

BY REPRESENTATIVE R. ALEXANDER AND SENATOR B. JONES

AN ACT

To designate a portion of Louisiana Highway 167 in Jonesboro, Louisiana, as the Richard Zuber Thruway; and to provide for related matters.

HOUSE BILL NO. 99—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2205(D), relative to the Hazardous Waste Site Cleanup Fund; to remove cap on expenditures from the fund; to provide for use of the fund for costs associated with nonhazardous waste sites; to provide for promulgation of rules and regulations; and to provide for related matters.

HOUSE BILL NO. 100—

BY REPRESENTATIVE DAMICO

AN ACT

To rename Lafitte-LaRose Highway, Louisiana Highway 3134, the Des Familles Parkway; and to provide for related matters.

HOUSE BILL NO. 109—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact Section 3(C) of Act No. 113 of the 1950 Regular Session of the Legislature as amended by Act No. 186 of the 1970 Regular Session of the Legislature, Act No. 196 of the 1992 Regular Session of the Legislature, Act No. 953 of the 1995 Regular Session of the Legislature, and Act No. 2 of the 1998 First Extraordinary Session of the Legislature, to provide relative to the per diem paid to members of the Bayou Lafourche Freshwater District; and to provide for related matters.

HOUSE BILL NO. 143—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2412(1) and to enact R.S. 30:2412(1.1), (9.1), and (24.1) and 2418(M), relative to the disposal of waste tires; to provide for definitions; to provide for criminal penalties for fraudulent violations of the Waste Tire Program; and to provide for related matters.

HOUSE BILL NO. 148—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 47:820.5(B)(2)(a)(x), relative to the Greater New Orleans Mississippi River Bridges; to authorize the use of certain revenues from the Greater New Orleans Mississippi River Bridges to upgrade the Peters Road rail corridor; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE BILL NO. 4—

BY REPRESENTATIVE DARTEZ

AN ACT

To designate a bridge located along old U.S. 90, in Amelia, Louisiana, which crosses Bayou Boeuf in Assumption and St. Mary parishes, as the Earl "Tuttum" Bergeron and Janet Marcel Bridge; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 8—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 34:2102, relative to the compensation of members of the board of commissioners of the West Calcasieu Port, Harbor, and Terminal District; to provide for a maximum per diem of such members; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 17—

BY REPRESENTATIVES SCALISE, BEARD, BROOME, CURTIS, FAUCHEUX, GALLOT, GUILLORY, PIERRE, RICHMOND, SCHWEGMANN, AND SWILLING AND SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 47:1123(4) and (5) and to enact R.S. 47:1125.1, relative to the Louisiana Motion Picture Incentive Act; to provide for a tax credit for employing Louisiana residents; to provide for definitions; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 41—

BY REPRESENTATIVE R. ALEXANDER AND SENATOR B. JONES

AN ACT

To designate a portion of Louisiana Highway 167 in Jonesboro, Louisiana, as the Richard Zuber Thruway; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 99—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2205(D), relative to the Hazardous Waste Site Cleanup Fund; to remove cap on expenditures from the fund; to provide for use of the fund for costs associated with nonhazardous waste sites; to provide for promulgation of rules and regulations; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Environmental Quality.

HOUSE BILL NO. 100—

BY REPRESENTATIVE DAMICO

AN ACT

To rename Lafitte-LaRose Highway, Louisiana Highway 3134, the Des Familles Parkway; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 109—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact Section 3(C) of Act No. 113 of the 1950 Regular Session of the Legislature as amended by Act No. 186 of the 1970 Regular Session of the Legislature, Act No. 196 of the 1992 Regular Session of the Legislature, Act No. 953 of the 1995 Regular Session of the Legislature, and Act No. 2 of the 1998 First Extraordinary Session of the Legislature, to provide relative to the per diem paid to members of the Bayou Lafourche Freshwater District; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 143—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2412(1) and to enact R.S. 30:2412(1.1), (9.1), and (24.1) and 2418(M), relative to the disposal of waste tires; to provide for definitions; to provide for criminal penalties for fraudulent violations of the Waste Tire Program; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Environmental Quality.

HOUSE BILL NO. 148—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 47:820.5(B)(2)(a)(x), relative to the Greater New Orleans Mississippi River Bridges; to authorize the use of certain revenues from the Greater New Orleans Mississippi River Bridges to upgrade the Peters Road rail corridor; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

Senator Bajoie, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

April 2, 2002

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

SENATE RESOLUTION NO. 14—

BY SENATOR C. JONES

A RESOLUTION

To urge and request the Louisiana Homeland Security Committee to direct financial support to rural towns and communities, in addition to other towns and communities in the state.

Reported with amendments.

SENATE BILL NO. 41—

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 33:172(A)(1), relative to annexations by municipalities; to provide a procedure for annexation of vacant land when there are no resident property owners; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 105—

BY SENATORS BOISSIERE AND BAJOIE

AN ACT

To enact R.S. 33:9038, relative to cooperative economic development; to create the World Trade Center Taxing District as a special taxing and tax increment financing district in the parish of Orleans; to provide for the boundaries of the district; to provide for the governance of the district; to provide for the authority, powers, duties, and function of the governing body to levy and collect a tax upon hotel occupancy within the district

and to engage in tax increment financing; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DIANA E. BAJOIE
Chairman

REPORT OF COMMITTEE ON

FINANCE

Senator Dardenne, Chairman on behalf of the Committee on Finance, submitted the following report:

April 2, 2002

To the President and Members of the Senate:

I am directed by your Committee on Finance to submit the following report:

HOUSE BILL NO. 46—

BY REPRESENTATIVES MURRAY, ALARIO, LANDRIEU, K. CARTER, HEATON, AND CLARKSON

AN ACT

To amend and reenact R.S. 47:322.38, relative to the state sales and use tax on hotel occupancy levied in Orleans Parish; to provide for the use of the avails of the tax; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 67—

BY REPRESENTATIVES MURRAY, ALARIO, LANDRIEU, K. CARTER, HEATON, DEWITT, HAMMETT, AND CLARKSON

AN ACT

To amend Act No. 22 of the 2001 Regular Session of the Legislature, relative to the comprehensive capital construction budget, by adding thereto new Sections; to add projects for the Louisiana Stadium and Exposition District for upgrades of the New Orleans Arena and for an indoor football practice facility for the New Orleans Saints; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JAY DARDENNE
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just reported by Committees.

SENATE BILL NO. 41—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 33:172(A)(1), relative to annexations by municipalities; to provide a procedure for annexation of vacant land when there are no resident property owners; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 41 by Senator Mount

AMENDMENT NO. 1

On page 1, line 2, between "(A)(1)" and the comma "," insert "and D"

AMENDMENT NO. 2

On page 1, line 7, change "is" to "and D are"

AMENDMENT NO. 3

On page 1, line 12, delete "(a)"

AMENDMENT NO. 4

On page 2, line 4, after "voters." delete the remainder of the line and insert the following:

"(a) If there are no registered voters residing in the area proposed"

AMENDMENT NO. 5

On page 2, delete lines 8 through 27, on page 3, delete line 1, and insert the following:

"(b) If there are no resident property owners, nor registered voters residing, in the area proposed for annexation and the area is vacant land, then the requirement for a majority of the resident property owners and a majority of the registered voters on the petition shall not apply, so long as the petition contains the written assent of each nonresident property owner of each tract, lot, or parcel in the area proposed for annexation.

R.S. 33:172(A)(1)(c) is all proposed new law.

(c)(i) With regard to any proposed annexation pursuant to (b), the parish in which the land proposed to be annexed is located shall have standing to contest whether the proposed annexation is reasonable. Such suit shall be filed within the thirty-day period before the ordinance becomes effective.

(ii) Any suit filed pursuant to (i) shall be given preferential treatment on the docket and shall be tried summarily, without a jury, and in open court, within thirty days after the filing of the suit.

(iii) The court shall consider the reasonableness of the proposed extension of the corporate limits, which consideration shall include but not be limited to an evaluation of the desires of the owners of the property proposed to be annexed, the anticipated public benefit of the proposed annexation, and the fiscal and financial impact that the extension of the corporate limits of the municipality will have on the municipality, the parish, and the neighboring property owners.

(iv) If the property proposed to be annexed is contiguous to the existing corporate limits, then the parish shall bear the burden of

establishing, by a preponderance of the evidence, that the proposed extension is not reasonable. If the property is not contiguous to the existing corporate limits, then the municipality shall bear the burden of establishing, by a preponderance of the evidence, that the proposed extension is reasonable. "Contiguous", as used in this provision, means that at least thirty-two feet of the vacant land proposed to be annexed is adjacent to the corporate limits and expands to a width greater than thirty-two feet within three hundred feet from the corporate limits.

(v) Any interested citizen of the municipality may intervene in any suit filed pursuant to this Subparagraph to contest the proposed extension of the corporate limits pursuant to R.S. 33:174(B).

(vi) The trial judge shall render judgment within two days after the matter is submitted to him. The clerk of the trial court shall immediately notify all parties or their counsel of record by telephone and/or facsimile transmission of the judgment.

(vii) Within two days after the rendition of the judgment, an aggrieved party may appeal the judgment by obtaining an order of appeal. The clerk of the trial court shall give notice of the order of appeal to the clerk of the court of appeal and to all the parties or their counsel or record. The trial judge shall fix the return date at a date not to exceed five days after rendition of the judgment. The clerk of the trial court shall prepare the record on appeal and transmit it to the clerk of the court of appeal on the return day.

(viii) Immediately upon receipt of the record the clerk of the court of appeal shall notify all parties and the case shall be heard no later than five days after the record is lodged. The court of appeal shall render judgment not later than two days after the case is argued. The clerk of the court of appeal shall immediately notify all parties or their counsel or record of the judgment by telephone or facsimile transmission.

(ix) An application to the supreme court for a writ of certiorari shall be made within five days after the court of appeal renders judgment.

(x) No application for a new trial or for a rehearing shall be entertained by any court, but a court may, upon its own motion correct manifest error to which its attention is called.

(xi) A final judgment in a suit under this Subparagraph shall be binding in any suit brought under R.S. 33:174(B)(1) on whether the proposed extension is reasonable.

(xii) If the proposed extension of boundaries is adjudged reasonable, the ordinance shall go into effect ten days after a final judgment is rendered and signed, subject to the provisions of R.S. 33:174. If the proposed extension is adjudged invalid, the ordinance shall be vacated and the proposed extension shall be denied, and no ordinances proposing practically the same extension shall be introduced for one year thereafter.

R.S. 33:172(A)(1)(d) is all proposed new law.

(d) If property annexed pursuant to (b) is subject to parish zoning regulations applicable to the property and in force at the time of annexation, then for a period of two years subsequent to annexation, the municipal zoning regulations applicable to the property shall not be less restrictive in uses permitted than the applicable parish zoning regulations at the time the area is annexed, unless the parish governing authority consents, by resolution, to such zoning.

* * *

D. Notwithstanding the provisions of Subsection (A) of this Section, any municipality may annex contiguous areas without the petitions required by said Subsection (A), by ordinance, provided

prior to the adoption of any such ordinance, the question of the annexation shall be submitted to the qualified voters residing within the area proposed to be annexed in a special election called for that purpose by the municipality, and a majority of those voting at such election shall have voted in favor of the annexation. Any municipality may also call such an election after being requested to do so through a petition signed by at least twenty-five percent of the resident property owners residing in the area requesting annexation and by the owners of at least twenty-five percent in value of the resident property within such area. The valuation of the property shall be determined as set forth in Subsection (A) above. The petition presented to the municipality shall contain an accurate description of the area proposed to be annexed. All elections called under the provisions of this sSubsection shall be conducted in the same manner as are other special elections called for bond and tax purposes by municipalities.

* * *

Section 2. Any person may contest an annexation of land by petition and ordinance which occurred prior to June 27, 2001, where there were no registered voters nor resident property owners in the area at the time of annexation and the petition contained the signatures of the owners of at least twenty-five percent in value of the property in the annexed area, by filing suit pursuant to R.S. 33:174, on or before June 1, 2002, provided the person was an interested citizen of the municipality at the time the annexation occurred. If no suit is filed by June 1, 2002, or if no appeal is taken within the legal delays from a judgment of the district court sustaining the ordinance annexing the area, the ordinance shall then become operative and cannot be contested or attacked for any reason or cause whatsoever.

Section 3. This Act shall become effective May 1, 2002."

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 105—
BY SENATORS BOISSIERE AND BAJOIE
AN ACT

To enact R.S. 33:9038, relative to cooperative economic development; to create the World Trade Center Taxing District as a special taxing and tax increment financing district in the parish of Orleans; to provide for the boundaries of the district; to provide for the governance of the district; to provide for the authority, powers, duties, and function of the governing body to levy and collect a tax upon hotel occupancy within the district and to engage in tax increment financing; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 105 by Senator Boissiere

AMENDMENT NO. 1
On page 11, line 8, change "five" to "three"

AMENDMENT NO. 2

On page 11, line 10, change "executive director" to "president"

AMENDMENT NO. 3
On page 11, delete lines 14 through 16 in their entirety

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Dardenne asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 46—
BY REPRESENTATIVES MURRAY, ALARIO, LANDRIEU, K. CARTER,
HEATON, AND CLARKSON
AN ACT

To amend and reenact R.S. 47:322.38, relative to the state sales and use tax on hotel occupancy levied in Orleans Parish; to provide for the use of the avails of the tax; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 46 by Representative Murray

AMENDMENT NO. 1
On page 3, line 8, after "Parish.", insert the following:

"Such obligations shall be "expenses of the operations and maintenance of both the district and the properties" for the purpose of the use of all revenues, from whatever source, derived by the district."

AMENDMENT NO. 2
On page 4, line 9, after "development," insert "racetrack planning and development,"

AMENDMENT NO. 3
On page 4, lines 14 and 23, change "thirty-five" to "fifty"

AMENDMENT NO. 4
On page 4, at the end of line 16, change "sixty-five" to "fifty"

AMENDMENT NO. 5
On page 4, at the end of line 26, change "sixty-" to "fifty"

AMENDMENT NO. 6
On page 5, at the beginning of line 1, delete "five"

On motion of Senator Dardenne, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of

the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 67—

BY REPRESENTATIVES MURRAY, ALARIO, LANDRIEU, K. CARTER, HEATON, DEWITT, HAMMETT, AND CLARKSON
AN ACT

To amend Act No. 22 of the 2001 Regular Session of the Legislature, relative to the comprehensive capital construction budget, by adding thereto new Sections; to add projects for the Louisiana Stadium and Exposition District for upgrades of the New Orleans Arena and for an indoor football practice facility for the New Orleans Saints; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 67 by Representative Murray

AMENDMENT NO. 1

On page 2, between lines 8 and 9, insert the following:

"In the event the Charlotte NBA Hornets NBA Limited Partnership fails to gain approval from the NBA Board of Governors to relocate to New Orleans, Louisiana or fails to execute a facility lease agreement in accordance with the Memorandum of Understanding adopted on January 17, 2002, the appropriation contained above shall be null and void."

AMENDMENT NO. 2

On page 2, line 26, after the word "requirements" and before the period, insert the following:

"or, in order to encourage competition for the projects funded through this appropriation and to complete the projects in a timely manner, the Louisiana Stadium and Exposition District shall have the authority to select a General Contractor through an RFP process whereby General Contractors will bid General Conditions and Contractor's Fee based on the direct construction budget."

AMENDMENT NO. 3

On page 2, line 28, after the period, insert the following:

"The Louisiana Stadium and Exposition District shall have the authority to directly appoint the design professional from a list of a minimum of three architectural firms or joint ventures with professional sports facility design experience acceptable to the commissioner of administration and shall be exempt from other state requirements for selection of designers. The design professional fee shall be in accordance with state guidelines administered by facility planning and control section of the Division of Administration."

On motion of Senator Dardenne, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator C. Jones asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 16 from the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 16—

BY SENATOR C. JONES

A CONCURRENT RESOLUTION

To direct certain departments of the state, as provided for in Title 36 of the Louisiana Revised Statutes of 1950, to provide information relative to the development of a strategic plan to combat poverty.

The resolution was read by title. Senator C. Jones moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Lentini
Bean	Gautreaux	Malone
Boissiere	Heitmeier	Marionneaux
Cain	Hines	McPherson
Campbell	Holden	Mount
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Theunissen
Dean	Johnson	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Total—32		

NAYS

Total—0

ABSENT

Mr. President	Jones, B	Tarver
Barham	Michot	
Fontenot	Romero	
Total—7		

The Chair declared the Senate had adopted the Senate Concurrent Resolution, and ordered it sent to the House.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 2, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 22—

BY REPRESENTATIVE CAZAYOUX

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Donald Anthony "Donnie" Andre of Rosedale.

HOUSE CONCURRENT RESOLUTION NO. 23—

BY REPRESENTATIVES CAZAYOUX, DEVILLIER, AND QUEZAIRE

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Freddie H. Pitre, Sr. of Plaquemine.

HOUSE CONCURRENT RESOLUTION NO. 26—

BY REPRESENTATIVES DOERGE, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, CAPELLA, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOWNER, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana to the family of Judge James E. Bolin upon his death.

HOUSE CONCURRENT RESOLUTION NO. 28—

BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To recognize May 2, 2002, as Space Day in Louisiana.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 2, 2002

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 18—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To proclaim March 30, 2002 as Doctors Day in the state of Louisiana in order to honor and recognize all physicians who dedicate themselves and their careers to the care of their patients and the advancement of medicine and to thank them for their contributions to improving the quality of life for all of Louisiana's citizens.

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 2, 2002

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 3—

BY SENATOR THEUNISSEN

A RESOLUTION

To recognize and acknowledge the significant contributions of the community and technical colleges in Louisiana to the education and training of students and workers, and to designate the month of April as "Community and Technical College Month in Louisiana".

SENATE RESOLUTION NO. 4—

BY SENATOR LAMBERT

A RESOLUTION

To commend Deborah S. Reynaud for her dedication and untiring service as a board member on the Board of Commissioners for the River Region Cancer Screening and Early Detection District.

SENATE RESOLUTION NO. 5—

BY SENATOR LAMBERT

A RESOLUTION

To commend Carol C. Abbott for her dedication and untiring service as the secretary-treasurer and a board member on the Board of Commissioners for the River Region Cancer Screening and Early Detection District.

SENATE RESOLUTION NO. 6—

BY SENATOR LAMBERT

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate upon the death of Mr. Crawford A. Bishop, member of the Board of Commissioners of the River Region Cancer Screening and Early Detection District.

SENATE RESOLUTION NO. 7—

BY SENATOR DUPRE

A RESOLUTION

To commend and congratulate Stephanie Detillier on being named as one of Louisiana's top youth volunteers in the Seventh Annual Prudential Spirit of Community Awards, a nationwide program recognizing young people for outstanding community service.

SENATE RESOLUTION NO. 8—

BY SENATOR FONTENOT

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana on the death of Cari Michelle Trahan Smiley.

SENATE RESOLUTION NO. 9—

BY SENATOR FONTENOT

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana on the death of Betty S. Grimmer.

SENATE RESOLUTION NO. 10—

BY SENATORS HAINKEL, BAJOE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAU, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO

A RESOLUTION

To commend and congratulate Jack Wardlaw upon the occasion of his retirement from The Times-Picayune.

SENATE RESOLUTION NO. 11—

BY SENATOR FONTENOT

A RESOLUTION

To commend Mary Alice Core, the longtime Livingston Parish Council on Aging director, after twenty-eight plus years with the Council on Aging.

SENATE RESOLUTION NO. 13—

BY SENATORS HAINKEL, BAJOE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAU, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of former state Senator, business owner, insurance executive and civic leader, Frederick L. "Fritz" Eagan, Sr.

SENATE RESOLUTION NO. 15—

BY SENATOR CAMPBELL

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of former state representative, attorney, veteran, civic leader, and judge, James E. Bolin.

SENATE RESOLUTION NO. 16—

BY SENATOR LAMBERT

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate upon the death of Mr. Crawford Alexander Bishop, member of the Board of Commissioners of the River Region Cancer Screening and Early Detection District.

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

Message to the Secretary of State

SIGNED

SENATE CONCURRENT RESOLUTIONS

April 2, 2002

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 3—

BY SENATOR B. JONES

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Mr. William Andrew Jackson Lewis II.

SENATE CONCURRENT RESOLUTION NO. 6—

BY SENATORS HAINKEL, BAJOE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAU, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of former legislator, insurance executive and civic leader, Laurance Eustis.

SENATE CONCURRENT RESOLUTION NO. 7—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To express condolences of the Legislature of Louisiana on the death of Raymond Joseph Salassi, Jr., husband, father, son, brother, attorney, and friend.

April 2, 2002

SENATE CONCURRENT RESOLUTION NO. 8—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of world renowned decorator, Melanie Pulitzer Feldman and to record for posterity the enduring appreciation of the members of the legislature for her lifetime of contributions to her family, her community, her state, her country and the world.

SENATE CONCURRENT RESOLUTION NO. 9—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To commend and congratulate Sergeant Edward Walker Herlitz on being named Fort Gordon Post Soldier of the Year.

SENATE CONCURRENT RESOLUTION NO. 10—

BY SENATOR MCPHERSON AND REPRESENTATIVES CURTIS, DEWITT AND FARRAR

A CONCURRENT RESOLUTION

To urge and request BellSouth to reconsider relocating its Alexandria call center.

SENATE CONCURRENT RESOLUTION NO. 11—

BY SENATORS HAINKEL, BAJOEI, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAU, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVES ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, CAPELLA, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DOWNER, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRES, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON AND WRIGHT

A CONCURRENT RESOLUTION

To express the sincere regrets of the members of the Louisiana Legislature to the family of Coach Charles Y. McClendon on the occasion of his death.

SENATE CONCURRENT RESOLUTION NO. 12—

BY SENATORS DUPRE AND GAUTREAU

A CONCURRENT RESOLUTION

To request the secretary of the Army to extend the rotation cycle of the district engineer of the New Orleans district of the U.S. Army Corps of Engineers from the normal two-three year cycle to a minimum cycle of five years.

SENATE CONCURRENT RESOLUTION NO. 14—

BY SENATOR C. JONES

A CONCURRENT RESOLUTION

To commend certain Louisiana banks for their outstanding performance rating pursuant to the Community Reinvestment Act of 1977.

SENATE CONCURRENT RESOLUTION NO. 15—

BY SENATOR HOLLIS

A CONCURRENT RESOLUTION

To proclaim April 1 through 7, 2002, as "American Business Women's Week" in the Louisiana Legislature.

Respectfully submitted,
MICHAEL S. BAER, III
Secretary of the Senate

Leaves of Absence

The following leaves of absence were asked for and granted:

Barham 1 Day Romero 1 Day

Adjournment

Senator Lambert moved that the Senate adjourn until Wednesday, April 3, 2002, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Wednesday, April 3, 2002.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk